

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

September 12, 2024

LAURA A. AUSTIN, CLERK

BY:

/s/T. Taylor
DEPUTY CLERK

BRIAN EDWARD ADDAIR,

Plaintiff,

v.

S.W.V.R.J.A.-ABINGDON et al.,

Defendants.

Case No. 7:24-cv-00376

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Brian Edward Addair, proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. On July 19, 2024, Defendants jointly moved to dismiss Plaintiff's claims under Federal Rule of Civil Procedure 12(b)(6). (*See* Defs.' Mot. [ECF No. 13].) That same day, the Court ordered Plaintiff to respond to Defendants' motion within 21 days and advised Plaintiff that his failure to respond could result in dismissal of this action. (Or. [ECF No. 15].)

More than 21 days have elapsed from the date of the Court's order, and Plaintiff has failed to respond. Accordingly, the Court will dismiss this action without prejudice for failure to prosecute and to comply with the Court's order. *See* under Fed. R. Civ. P. 41(b).

The Clerk is directed to forward a copy of this Memorandum Opinion and the accompanying Order to the parties.

ENTERED this 12th of September, 2024.

/s/ Thomas T. Cullen

HON. THOMAS T. CULLEN

UNITED STATES DISTRICT JUDGE